

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)
) Chapter 7
MICHAEL S. HELMSTETTER) Case No. 19-28687
Debtor) Hon. Jacqueline Cox, Presiding

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):

Michael S. Helmstetter

2. Position of appellant(s) in the bankruptcy case that is the subject of this appeal:

Debtor

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:

Order approving the settlement agreement between Trustee and Kingdom Chevrolet, Inc., and Richard Ruscitti and transfer of assets pursuant to section 363(f) free and clear of all liens, Claims and interests

2. Position of appellant(s) in the bankruptcy case that is the subject of this appeal:

Debtor

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:

Order approving the settlement agreement between Trustee and Kingdom Chevrolet, Inc., and Richard Ruscitti and transfer of assets pursuant to section 363(f) free and clear of all liens, Claims and interests Said order entered on the docket on September 1, 2020 as entry #76. A copy of the Order is attached hereto as Exhibit A

2. State the date on which the judgment, order, or decree was entered:

Docket entry #76 entered on the docket on September 1, 2020. See Exhibit A hereto.

Part 3: Identify the other parties to the Appeal

List the names of all parties to the judgment, order or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary).

- | | |
|-------------------------------------|--|
| 1. Party:
Michael S. Helmstetter | Attorney:
Richard L. Hirsh, Bar ID 1225936
Richard L. Hirsh, P.C.
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| 2. David Herzog, Trustee | Dennis Quaid
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| 3. Richard Ruscitti | Harold Israel
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| 3. Kingdom Chevrolet, Inc. | Harold Israel
Levenfel Pearlstein, LLC
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Part 4: Option election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard

by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

Since there is no Bankruptcy Appellate Panel (BAP) in this District, this appeal is taken to the U.S. District Court for the Northern District of Illinois, ED. To the extent applicable, Debtor-Appellant opts to appeal to the District Court.

Part 5: Sign Below

/s/ Richard L. Hirsh
Richard L. Hirsh, P.C.
1500 Eisenhower Lane #800
Lisle, IL 60532
630 434-2600
Attorney # 1225936
richard@bankruptcy-dupage.com

Date: September 15, 2020

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]